IN RE: PETITION FOR ADMIN. VARIANCE
N/S of Marilynn Road @ the distance of
20' W centerline of Miller Road
11th Election District
5th Councilmanic District
(9916 Marilynn Road)

Judy L. & Kenneth L. Peters Petitioners

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 02-337-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Judy L. and Kenneth L. Peters. The variance request is for property located at 9916 Marilynn Road in the Perry Hall area of Baltimore County. The variance request is from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (shed) to be located in an area not within the third of the lot farthest removed from any street. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

3/402 S/402 Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this \(\frac{14\psi}{2} \) day of March, 2002, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (shed) to be located in an area not within the third of the lot farthest removed from any street, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

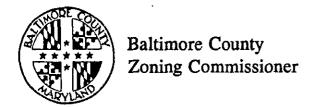
TIMOTHY M/KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:rai





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

March 14, 2002

Mr. & Mrs. Kenneth L. Peters 9916 Marilynn Road Perry Hall, Maryland 21128

> Re: Petition for Administrative Variance Case No. 02-337-A Property: 9916 Marilynn Road

Dear Mr. & Mrs. Peters:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

buthy 16 traco

TMK:raj Enclosure



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 9916 MARILYNN. Rd. which is presently zoned Residenced DR 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

To Permit AN Recessory Structure (shed) to be LOCATED IN AN ARCA NOT WITHIN the third of the LOT FARTHEST REMOVED FROM ANY STREE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly de perjury, that I/we are is the subject of this	eclare and affirm, under the the legal owner(s) of the Petition.	ne penalties of property which
Contract Purcha	ser/Lessee:		Legal Owner(s)	<u>:</u>	
			Kennet	h L. Peters	
Name - Type or Print			Name - Type or Print	10/1	
Signature			Signature Signature	& retur	
Address			JUDY L	PETERS	
Address	~ .	Telephone No.	Name - Type or Print	1000	
City	State	Zip Code	Signaryre	But	
Attorney For Pet	itioner:		9916 MARIL	YNN Rd. 4	10-256-3603
			Address	7	Telephone No
Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	PERRY HAC	<u>/L</u> <u>Md-</u> State	2/128
· · · · · · · · · · · · · · · · · · ·			•		Zip Code
Signature		-	Representative	to be Contacted:	
Company					
Company			Name		
Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Address		Telephone No
CITY	State	Zip Code	City	State	Zip Code
A Public Hearing havin	g been formally demand	ed and/or found to be	required, it is ordered by	the Zoning Commissioner of	f Baltimore County,
Regulations of Baltimore (the County and that the proper		his petition be set for a publi	c hearing, advertised, as req	uired by the zoning
			Zoning Comm	nissioner of Baltimore Count	y
CASE NO.	02-337-A	Day	iowad By IRF	Data 2/1	2/012

Estimated Posting Date __

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	9910	MARILYA	in Rd.	,
`,	Address	1 1 /	md.	2//28
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	ip or practical d	ifficulty):		
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LIKETHROTHER TOME	9, WG 9//11 11/	e cauldi	NY FINID AN	JAZ
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LOOK ATTRACTIVE.T	HE DR	ODOSEID -	SHED WILL	
HIDDEN behind a RE	owor 1	DINETREE	S, KENDORA	(N_{0})
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PleasANT TO VIEW 1	from c	DURHOM	VE,	
That the Affiant(s) acknowledge(s) that if a foodback advertising fee and may be required to provide a	ormal demand additional inforn	is filed, Affiant(s) nation.	will be required to pay	y a reposting and
Um I tylus	2	Qudi	Pelot.12	
Signature X Letter Name - Type or Print	· ·	Signature . J UD O Name - Type or Pr	PETERS	
name - type of time		Name "Type of Est		~
STATE OF MARYLAND, COUNTY OF BALTIN		_		
HEREBY CERTIFY, this DIM day of Of Maryland, in and for the County aforesaid, pe	MOUGY rsonally appear	ed , 200	$\frac{2}{2}$, before me, a Notary	Public of the State
he Affiant(s) herein, personally known or satisfa	LVS O	d Judy f	PALVS Hants	
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NOTA	Notar	y Public	L Women	
MORE	1 SE MIC	ommission Expire	s 4111200°	4
REV 10/25/01	Mar.			

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at	9916	MARIL	YNN RO	
	Address Perry City	HALL	md -	21/28 Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship)	wing are the fac p or practical di	cts upon which I/ fficulty):	we base the request t	or an Administrative
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That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand i additional inform	is filed, Affiant(s) nation.	will be required to p	pay a reposting and
Of most of the		Quedy	Peters	
Renarch 1 Peters		Signature Judy	ETERS	
Name - Type or Print		Name - Type or Pr	rint	
STATE OF MARYLAND, COUNTY OF BALTIN		<u> </u>		
of Maryland, in and for the County aforesaid, per		1 200 ed Pede	Defore me, a Notar	y Public of the State
the Affiant(s) herein, personally known or satisfa	ctorily identified	<u> </u>	/(⊃ ifflant(s).	
AS WITNESS my hand and Notarial Seal NOT	[ARL) DANG)	Q (418044	
PLAUE	Notary	Y Public	1111200	
REV 10/25/01	CITY A My Co	ommission Expire	s_4 1 200	7



CASE NO.

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9916 MARILYNN. which is presently zoned Resider

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

TO PERMIT AN ACCESSORY STRUCTURE (Shed) TO BE LOCATED IN AN AREA NOT within the third of the LOT FARTHEST removed From ANY STREET.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form

Property is to be posted and advertised as prescribed by the zoning regulations. i, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

•	•	I/We do solemnly declare perjury, that I/we are the I is the subject of this Petiti	egal owner(s) of the	he penalties of e property which
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>		•
		Kenneth L	Peters	
Name - Type or Print		Name - Type of Print	Petas	
Signature		Signaturé	Λ	
Address	Telephone N	Name - Type or Print	PETERS	
Dity St	ate Zip Coo	e Signature	tters	
Attorney For Petitioner:		9916 MARILYN	N Rd. 41	10-256-3603
	•	Address	- I	Telephone No.
Name - Type or Print .		terry Hall	Md - State	2(12-8 Zip Code
Signature		Representative to b	e Contacted:	
Company		Name		
Address	Telephone No	Address		Telephone No.
City	ate Zip Cod	e City	State	Zip Code
Public Hearing having been formally his day of egulations of Baltimore County and that the	demanded and/or found that the subject ma e property be reposted.	to be required, it is ordered by the Zo ter of this petition be set for a public hear	oning Commissioner o ing, advertised, as rec	of Baltimore County, quired by the zoning
		Zoning Commission	ner of Baltimore Coun	ty
CASE NO. <u>02-237-</u>	<u> </u>	Reviewed By	Date 2/12	102

Estimated Posting Date ___

ZONING DESCRIPTION

Zoning description for 9916 Marilynn Road being at a point on the North side of Marilynn Road which is 50' wide at the distance of 20' West of the centerline of the nearest improved intersecting street, Miller Road, which is 20' wide being Lot No. 42, Section B in the subdivision of Perry Hall Manor as recorded in Baltimore County Plat Book No. 20, Folio No. 129 containing 25,613 square feet, also known as 9916 Marilynn Road and located in the 11th Election District, 5 Councilmanic District.

No. 07847 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT AMOUNT \$ 50.00 RECEIVED FROM: _ ITEN # 337 TALEN BY: JRF

YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND

PINK - AGENCY

DISTRIBUTION

WHITE - CASHIER

2/12/2009 压饱站 THATES AND THE INNER! 公寓这何 \$ 001865 न दश तमाह प्रवाहाभागि 度制。可解 知期 People Tot 14的进行线 विद्यार्थित विभिन्न स्थानित

CASHIER'S VALIDATION

CERTIFICATE POSTING

	RE: Case No.: 02-337-A
	Petitioner/Developer:
	KENNETH & JUDY PETERS
	Date of Hearing/Closing: 3/11/02
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 MD GEORGE ZANGEN	
Attention: Ms. Gwendolyn Stephens	_
• •	
Ladies and Gentlemen:	
This letter is to certify under the nepalties	s of perjury that the necessary sign(s) required by law
were posted conspicuously on the proper	_
9914	- MARILYUN RD.

The sign(s) were negted on	2/22/02
The sign(s) were posted on	(Month, Day, Year)
	(Month, Day, Your)
SE# 02-337-A	Sincerely,
₩ ¢	
	philas & 3/1/2 2/22/00
	(Signature of Sign Poster and Date)
CONNE Romes	RICHARD E. HOFFMAN
VARIANUE	(Printed Name)
The state of the s	904 DELLWOOD DR.
PUBLIC HEAT	(Address)
The state of the s	FALLSTON, MO 2104,
	(City, State, Zip Code)
	(410) 879-3122
	(Telephone Number)
	(a stepheno Tramou)
ICMARILYND RD.	
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

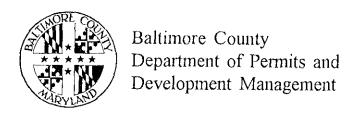
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02 - 337 - A
Petitioner Kenneth L. & Judy L Peters Address or Location: 9916 MARILYNN Rd.
PLEASE FORWARD ADVERTISING BILL TO:
Name. Kenneth 1. + Judy L. Peters
Address: 9916 MARILYNN Rd.
Perry Hall and 21128
Telephone Number 410-256-3603

ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	02-	337	-A		Address	9916	MARILYNN	RD.	<u>_</u>
Conta	ict Persoi	n:	Jun Pla	Forn onner, Please	an do Print Your I	Name		Phone Number: 4	10-887-33	91
Filing	Date: _	2	-12-02	ب	Post	ing Date:	2-24-02	Closing Date	: 3-11	-ত2
Any c	contact ingh the co	nade ntact	with this person (p	office re lanner) u	egarding using the	g the statu e case nun	is of the adr	ministrative variand	e should	be
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2.	a forma	l rec	juest for a	a public	hearing	. Please	understand	or owner within 1,0 that even if there e closing date.	00 feet to t is no forn	file nal
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					' (Detac	ch Along Dotted	Line)			
Petitio	oner: Th	is P	art of the	Form is	for the	Sign Post	er Only			
			USE TH	E ADMII	NISTRA	TIVE VAR	IANCE SIGN	FORMAT		
Case I	Number	02-[<i>3</i> 37	-A	Addre	ess <u> </u>	16 MAR	LILYNN RO.		
Petitio	ner's Nai	me _	KENNE	TH 4.	JUDY	PETER		elephone <u>4/0-</u>	LSG-3G	<u>. 0 3</u>
Postir	ng Date:		2-24-	-02		CI	osing Date:	3-11.02		
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		-						WCR - F	Revised 6/28/	 /00



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 11, 2002

Mr. & Mrs. Kenneth Peters 9916 Marilynn Road Perry Hall MD 21128

Dear Mr. & Mrs. Peters:

RE: Case Number: 02-337-A, 9916 Marilynn Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 12, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. 62

Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 1, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 4, 2002

Item Nos. 317, 331, 332, 334, 335, 336, 637) 338, 340, 341, 342, 343, 345, 348 and 349

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley Petros

DATE:

March 27, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT:

NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

(337

317, 331, 332, 336-338, 340-342, 345, 346, 348, 349

Still waiting on Agriculture Preservation Comments for 334, 335, 339.

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

April 1, 2002

Zoning Advisory Committee Meeting of March 4, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

(337)

317, 331, 332, 336-338, 340-342, 345, 346, 348, 349

No AG Comments for 334, 335, 339.



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

February 28, 2002

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF March 4, 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments regarding the following item #'s.

331, 334, 335, 337, 339, 340, 341, 342, 343, 345, 346, 347, 348, 349,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 7, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAR ()

SUBJECT:

9916 Marilynn Road

INFORMATION:

Item Number:

02-337

Petitioner:

Kenneth L. Peters

Zoning:

DR₂

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to allow an accessory structure (shed) to be located in an area not within one third of the lot farthest removed from any street.

Prepared by: Marth Cump

Section Chief: Any L. Klems

AFK/LL:MAC:



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Date: 3 · 1 · 02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 337

ノスド

Administrator

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

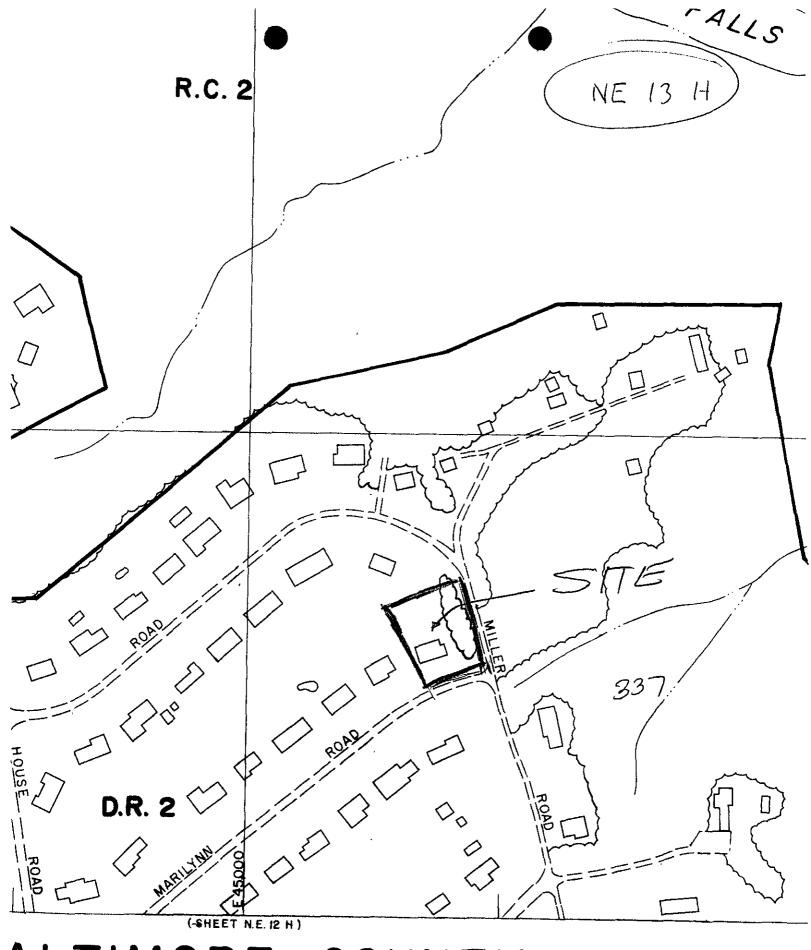
Very truly yours,

1. f. Dredh

fu

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division PLAT TO ACCOMPANY PETITION FOR ZONING XVARIANCE SPECIAL HEARING PROPERTY ADDRESS 9916 MARILYNN Rd SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION SUBDIVISION NAME PERRY HALL MANOR FOX HILL Rd PLAT BOOK # 20 FOLIO # 129 LOT # 42 SECTION # B OWNER KCHNETH + JUDY PCTERS MARILYHH RE TAX ID# 1103002201 PEPPER HILL Rd 153.44 BELAIR Rd VICINITY MAP SCALE: 1" = 1000" LOCATION INFORMATION ELECTION DISTRICT 11 Th COUNCILMANIC DISTRICT 5 1"=200' SCALE MAP # NE 13 H ZONING DR-2 LOT SIZE .60 25.613. ACREAGE SOUARE FEET PUBLIC PRIVATE MARILYHN ROAD (50' R/W) X SEWER LOT 41 X WATER CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ X BUILDING PRIOR ZONING HEARING ZONING OFFICE USE ONLY NORTH REVIEWED BY ITEM # CASE # PREPARED BY SCALE OF DRAWING: 1" = 60 JEF 337

B. G. # -15-



ALTIMORE COUNTY OF PLANNING AND ZONING

STANDING IN BACK OF HOUSE LOOKING AT PROPOSED SITE FOR NEW SHED WHERE PICNIC TABLE IS NOW.



Looking From the house.

AT where the Proposed

Shed will sit.

STANDING ON MILLER ROAD, SHED WILL BE LOCATED BEHIND THESE PINE TREES IN OUR YARD, BLOCKING THE VIEW OF THE SHED FROM MILLER ROAD.



TAKEN From miller Rd.

Shed will be behind these
Trees - Hidden From
The ROAD.

.

1

_____-

.

.

PICTURE SHOWING EXISTING SHED. THE NEW SHED WILL LOOK JUST LIKE THIS ONE. THE TREES TO THE LEFT BLOCK THE VIEW OF THE SHED FROM OUR ONLY NEIGHBOR AT 9914 MARILYNN.



Pictore Showing Existing
Shed- The proposed Shed
Will be The SAME Kidd
And the SAME Color
And that the Trees to the
LEFT Black view Feom
Neighbor To LEFT 9914
MARILYNN

PICTURE LOOKING OUT FROM WHERE THE PROPOSED SHED IS TO BE LOCATED SHOWING OUR DRIVEWAY (WITHOUT A GARAGE). THE HOUSE YOU SEE ACROSS THE STREET WILL HAVE THE ONLY VIEW OF THE SHED.



Picture Showing we don't Have a GARAGE LIKE All the Other Homes

- 4

-